



(e) Robert Virtue Yes \_\_\_\_\_ No \_\_\_\_\_

Answer: [Not answered in light of response to Issue No. 1].

3. Did the named Defendant use excessive force against the Plaintiff (in violation of Plaintiff's Eighth Amendment rights)?

(a) Derrick Copeland Yes \_\_\_\_\_ No \_\_\_\_\_

(b) Christopher Johnson Yes \_\_\_\_\_ No \_\_\_\_\_

(c) Joshua Quinn Yes \_\_\_\_\_ No \_\_\_\_\_

(d) John Snyder Yes \_\_\_\_\_ No \_\_\_\_\_

(e) Robert Virtue Yes \_\_\_\_\_ No \_\_\_\_\_

Answer: [Not answered in light of response to Issue No. 1].

4. Was such excessive force a proximate cause of an injury to Plaintiff?

(a) Derrick Copeland Yes \_\_\_\_\_ No \_\_\_\_\_

(b) Christopher Johnson Yes \_\_\_\_\_ No \_\_\_\_\_

(c) Joshua Quinn Yes \_\_\_\_\_ No \_\_\_\_\_

(d) John Snyder Yes \_\_\_\_\_ No \_\_\_\_\_

(e) Robert Virtue Yes \_\_\_\_\_ No \_\_\_\_\_

Answer: [Not answered in light of response to Issue No. 1].

5. What amount of damages is the Plaintiff entitled to recover?

Answer: [Not answered in light of response to Issue No. 1].

Based on the foregoing fact as found by the jury, the Court concludes as a matter of law that the Defendants Derrick Copeland, Christopher Johnson, Joshua T. Quinn, John F. Snyder, and Robert J. Virtue are entitled to the protection of qualified immunity and are not liable to the Plaintiff Marcus A. Thorpe under 42 U.S.C. § 1983 for violation of his right to be free from excessive force.

The Court previously entered an Order dismissing with prejudice the Plaintiff's claims against Defendant Anita J. Gowans pursuant to Rule 56 of the Federal Rules of Civil Procedure and an Order dismissing without prejudice Defendants Phillip A. Carswell and David A. Stephens for Plaintiff's failure to prosecute his case against them. [Docs. 69, 73]. After Plaintiff's presentation of evidence, the Court on Defendants' oral motion for judgment as a matter of law dismissed Defendants David J. Davis, Nathan E. Wyatt, and Curtis D. Sauberan. [3/21/2023 Docket Entry].

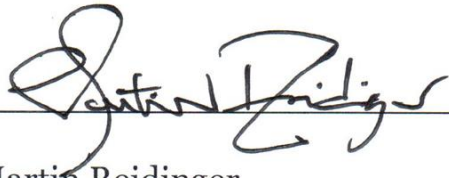
**IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED** that based on the verdict of the jury Defendants Derrick Copeland, Christopher Johnson, Joshua T. Quinn, John F. Snyder, and Robert J. Virtue are not liable to the Plaintiff Marcus A. Thorpe under 42 U.S.C. § 1983 for violation

of his right to be free from excessive force, and based thereon and based on the Court's prior rulings, including the dismissal of Defendants on the Rule 50 Motion, the Plaintiff shall recover nothing of the Defendants.

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that this action is **DISMISSED WITH PREJUDICE** in its entirety.

**IT IS SO ORDERED.**

Signed: March 30, 2023

  
\_\_\_\_\_  
Martin Reidinger  
Chief United States District Judge

